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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PACE ANTI-PIRACY, INC.,  
Plaintiff,  
v.  
INSIDE SECURE, et al.,  
Defendants.

Case No.17-cv-05860-HSG


**ORDER DIRECTING SUPPLEMENTAL  
BRIEFING ON RECENT FEDERAL  
CIRCUIT DECISION**

Re: Dkt. No. 37

Pending before the Court is a motion to dismiss by Defendants Inside Secure S.A. and Inside Secure Corp. Dkt. No. 37. On February 8, 2018, after briefing on the motion was complete, the Federal Circuit decided *Berkheimer v. HP Inc.*, No. 2017-1437, -- F.3d --, 2018 WL 774096 (Fed. Cir. Feb. 8, 2018). *Berkheimer* may impact the analysis to be applied at the motion to dismiss stage under the second step of the standard set forth in *Alice Corp. Pty. Ltd. v. CLS Bank International*, 134 S. Ct. 2347 (2014).

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**IT IS SO ORDERED.**

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge